

09.06.01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edward S. Hoskins  
Serial No.: 09/853,565  
Filed: May 10, 2001  
Title: SEAMLESS DEFECT MANAGEMENT CONVERSION

Examiner:  
Group Art Unit: 2754  
Docket: STL9650/40046.114USU1

## CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL719664385US

Date of Deposit: September 4, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

By:

Mary C. Notter

Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Letter
- Preliminary Amendment
- Notice of Omitted Items
- Return postcard

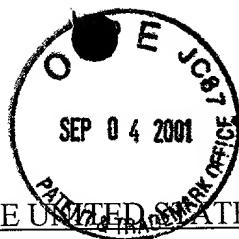
Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
303.357.1670

By:   
Name: John R. Wahl  
Reg. No.: 33,044  
JR Wahl/mcn



S/N 09/853,565



PATENT

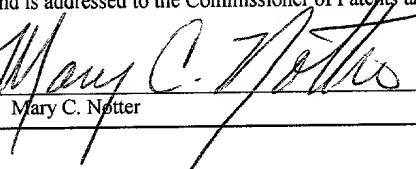
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By:   
Name: Mary C. Notter

LETTER

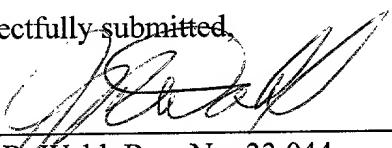
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed is a copy of a preliminary amendment filed on July 19, 2001 in response to Notice of Omitted Items mailed on July 10, 2001. During a review of our records, it appears that a copy of the Notice may inadvertently have been omitted from the Preliminary Amendment filed on July 19, 2001. Accordingly, attached hereto is the copy of the Notice along with a copy of the Preliminary Amendment.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

  
John R. Wahl, Reg. No. 33,044  
Merchant & Gould P.C.  
PO Box 2903  
Minneapolis, MN 55402-0903

Dated: 9/4/01





# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/853,565	05/10/2001	Edward Sean Hoskins	STL9650/40046.114USU1



Merchant & Gould P.C.  
 P.O. Box 2903  
 Minneapolis, MN 55402-0903

**CONFIRMATION NO. 6329**

**FORMALITIES LETTER**



\*OC000000006276173\*

Date Mailed: 07/10/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 1 of the specification (description and claims).
  - I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.
  - II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.
  - III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.
  - In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

*Meredith*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE